

PROVIDENCE CITY COUNCIL MEETING MINUTES

February 23, 2016 6:00 p.m.

15 South Main, Providence UT

Call to Order: Mayor Calderwood
Roll Call of City Council Members: Mayor Calderwood
Attendance: K Allen, J Baldwin, J Drew, D Giles, R Sneddon
Pledge of Allegiance: Mathew Cook, Scout Troop 357

Approval of the minutes

Item No. 1. The Providence City Council will consider approval of the minutes of February 9, 2016 City Council meeting.

Motion to approve the minutes of February 9, 2016, with the following corrections: J Drew, second – J Baldwin
Page 2, line 34 - add J Baldwin's comments that the City is not responsible to provide parking for the cabinet shop.

Vote: **Yea:** **K Allen, J Baldwin, J Drew, D Giles, R Sneddon**
 Nay: **None**
 Abstained: **None**
 Excused: **None**

Public Comments: Citizens may appear before the City Council to express their views on issues within the City's jurisdiction. Comments will be addressed to the Council. Remarks are limited to 3 minutes per person. The total time allotted to public comment is 15 minutes. The City Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines that an emergency exists.

- Steve Hobbs and Levi Blad – as members of troop 357, they would like to see the neighborhood watch program reinstated in Providence. S Bankhead will look into getting volunteers for the neighborhood watch and then get a resolution on the agenda. S Hobbs said the last time they tried this there was no support from the City Council.
- J Drew asked what kind of support/resources they were looking for.
- S Hobbs said a councilman to oversee the program and work from there.
- K Allen said support could also happen in signage.
- R Stapley said the signs were faded and worn down and had to be taken down.
- S Bankhead said the Youth Council used to participate in it also.
- S Hobbs said Providence is not a safe town and that is why he would like to see the neighborhood watch program start again.
- J Baldwin asked what interface they had with the law enforcement.
- S Hobbs said it never went long enough for law enforcement to get involved. He thinks if the council gets involved, they could come up with a program that would be valuable to the City.
- Rowan Cecil said he has read the Providence City report to the municipal council. He said the City has previously had a city manager and it did not work. The report from the consultant says, "There seems to be animus directed toward certain members of the city staff that almost always rises to harassment level". That was not discussed anywhere in the report and when I talked to one employee and asked him why he did not come forward in the review, the response was they did not want to be fired. Regarding the proposal to build multi-family residential area – he would like to see that area developed as commercial. He would like to attract business to Providence. He suggested auto dealerships that may be interested in relocating in Providence. He feels the Mayor has done an excellent job in looking into the sewer issue. We need to be independent from the City of Logan.
- Mayor Calderwood said he thinks in June they should have rates/month for the first year for all the cities connected to the Logan sewer. At that time, the Mayor will present a proposal to the city council to start the inter-local agreement with Hyrum, Nibley and Providence.
- J Drew said June is when Logan's assessment will be done. He asked when the inter-local assessment between the three cities will be done.
- Mayor said they have estimates, but they need the information from Logan first. As far as car dealerships, Providence does not own the property being used for multi-family development. The City has encouraged the developer to bring commercial, but they City has no control over how they choose to develop their

property.

- R Cecil also pointed out that the Mayor has worked on past hostilities between the City of Providence and the irrigation companies. As a result, residents will see lower water bills.
- J Drew said usually car dealerships like to be located near other car dealerships.
- Richard Eames asked if the Council was aware that Logan City has taken part of the money paid to them for sewer and put it in their general fund. Providence citizens need to be aware of that. Also, when the Logan City library was built, they asked the City for a donation, and the City said they would not donate to the library as a City, but will ask residents if they would like to donate. One citizen did donate, but when she went to get a library card from Logan City Library, they refused her the card. He does not trust the City of Logan and does not want to stay with them on the sewer.

Public comments closed at 6:20 pm.

Public Hearing (6:15 pm). The Providence City Council will hold a public hearing to consider the vacation and removal of an existing public utility / berm easement located along the old rear line of Lots 22 and 23 in Providence Hollow Subdivision. The Lots have been expanded to the east through boundary line agreement with Stan Checketts LC, necessitating the removal and relocation of the existing public utility / berm easement.

- S Bankhead reviewed the history of this property vacation and the utility/berm easement. The developer is requesting the City vacate the existing public utility/berm easement and relocate it to the east. She read a letter from the Spring Creek Water Company asking for the new public utility/berm easement on the west side of the canal company's easement. See attached letter.
- D Macfarlane, Civil Solutions Group, felt this was a reasonable request from the irrigation company.
- K Allen asked if they would re-berm and reestablish the right of way.
- D Macfarlane said the 5' utility easement will have to be relocated west of the 10' existing utility easement. The berm would be within the 5' utility easement.
- Brent Speth, President Spring Creek Water Company, said their intent is to ask for the additional 5' to relocate the public utility/berm easement.
- J Baldwin asked why the 5' easement would not continue along the entire length.
- D Macfarlane said vacating on lots 22 and 23 will make everything uniform.
- S Bankhead asked D Macfarlane if they wouldn't require a little bit more than 5 feet to allow for the utility easement and the berm.
- D Macfarlane said it is only a 6" berm and will fit within the 5'.
- S Hobbs asked the Mayor to explain what the utility easement is berm what the berm is for the attending Troops.
- S Bankhead explained utility easements to the audience.

Public hearing closed at 6:30 pm.

Business Items:

Item No.1 . Ordinance 2016-004: The Providence City Council will consider for adoption an ordinance vacating and relocating an existing public utility / berm easement located along the old rear line of Lots 22 and 23 in Providence Hollow Subdivision. The Lots have been expanded to the east through boundary line agreement with Stan Checketts LC, necessitating the removal and relocation of the existing public utility / berm easement.

Motion to approve Ordinance 2016-004: J Baldwin, second – R Sneddon

- J Drew asked if this was an ordinance or resolution.
- S Bankhead said it is an ordinance. Easements need to be handled through ordinance.
- J Baldwin clarified that the City was adding 5' to the existing 10'.
- B Speth said these are two separate easements (irrigation easement and public utility easement); you're not just widening the easement. They are for different uses.

Vote: Yea: K Allen, J Baldwin, J Drew, D Giles, R Sneddon

Nay: None

Abstained: None

Excused: None

Item No.2 . Resolution 009-2016: The Providence City Council will consider for adoption a resolution accepting the Municipal Wastewater Planning Program.

Motion to adopt Resolution 009-2016: K Allen, second – J Baldwin

- R Stapley reviewed the Wastewater Planning Program. It involves the cleaning and maintenance of the sewer system. As part of the requirements, this needs to be approved by the Council.
- J Baldwin asked if this included camera inspections.
- R Stapley said there are different sections of the program and the Public Works Department makes inspections as required. The state requires 100% visual inspection of the manholes every year for insurance purposes.
- R Sneddon asked if this plan was a way the state insures the City is following the plan.
- K Allen asked if this was a self-assessment.
- R Stapley said it is a self-assessment, but it has to be submitted to the state. It is an honor system. The state does not send out inspectors to check if the facts of the report are accurate.
- R Sneddon asked if this was a way of the state obtaining control of our wastewater system.
- R Stapley said if there were issues, the City's insurance makes sure issues are resolved and the City stays to a certain code.
- K Allen asked if there areas that are prone to basements flooding with sewage.
- R Stapley said we are fortunate in that we do not have malfunctions and the system maintains itself very well. Roots and grease are not a problem in our system. We have seen starts of roots that are continually being watched and if they become a problem they will be killed or cut out. He reviewed how the camera system works.
- B Speth commented that when the sewer first went in, there were lift stations that went in and they have all been replaced. Equipment failure isn't an issue because it is all currently gravity fed.

Vote: **Yea:** **K Allen, J Baldwin, J Drew, D Giles, R Sneddon**
 Nay: **None**
 Abstained: **None**
 Excused: **None**

- Mayor commented that if and when the City goes to a sewer system with Hyrum a lift station will have to be installed and it will be expensive.

Item No.3. Discussion: The Providence City Council will discuss amending the Providence City Corporation Department of Public Works Standards and Specifications Manual Drawing C-1A Downtown Street Cross-Sections by changing the cross-section for 400 South from 100 East west to 200 West.

- J Baldwin said he still thinks choices in cross-sections need to be available, but the ordinance needs to be followed. He is still of the opinion that if we afford the City options, then the developers need to be offered the same options. If there is not curb, gutter and sidewalk on a street that is going to be improved, then just replace existing. We aren't making worse by replacing just what was there, but we are short changing ourselves if we ignore the upgrades. If we want to be a community that maintains the "old fashioned" type of township, then we should move in that direction. The City is constantly flip-flopping on what we require of ourselves as a City, but we have been very stringent on what we require from developers. If saving money is the issue, eliminate the concrete edge and simply increase the thickness of the edge. The only thing wrong with that is that where you thicken it up, there is potential for cracks. Good compaction and rebar should remedy that for a few years, but eventually it is going to be problematic. The biggest issue in changing the cross-section is affording the City something we are not offering developers.
- Mayor said the difference is we aren't talking about a subdivision that is going in; we are talking about improving an already existing City street. We can redo the street exactly as it is now without improvements, but if you add more asphalt, we are bound by the ordinance. If you are creating a subdivision then there are requirements that developers have to follow. Also, storm water is a bigger issue that what it used to be. Budget also needs to be taken into consideration. If anyone wants to subdivide on this street, they will be required to follow the same rules the City follows. They will not be required to follow the subdivision rules, but the same rules the City is following on this downtown cross-section.
- R Sneddon said what is appropriate for the downtown cross-section is not appropriate for a new subdivision.
- J Baldwin said he still feels options should be given to developers and there needs to be some type of consistency in the roads throughout the City. Storm water issues need to be addressed, but a different

1 road profile from block to block looks chaotic.

- 2 • Mayor Calderwood reviewed the current downtown cross-section and pointed out there are variations in
- 3 the current cross-section. The City has the option of varying some parts of the cross-section, such as the
- 4 park strip. It is not the same profile for every street.
- 5 • K Allen said the ordinance can be changed. We do have country lanes in Providence. If you add curb and
- 6 gutter, then you no longer have the country lanes, you have more modern looking streets. He would like
- 7 the City to continue with country lanes for as long as possible and 400 South should be one of those
- 8 country lanes.
- 9 • J Baldwin asked how the City is supposed to respond to developers who want to create a development
- 10 with country lanes.
- 11 • J Drew said they can ask for a variance.
- 12 • K Allen said the response is to have them submit a plan and let the Council review it and see how it fits for
- 13 their development.
- 14 • R Sneddon suggested having a public hearing to see how the public feels about improvements of 400
- 15 South. Specifically, the residents on 400 South should be invited to that meeting.
- 16 • J Baldwin said if the City starts that, then it needs to be included in the ordinance so it isn't just done this
- 17 one time and so the City is consistent with all areas of town. Neighborhoods can then choose the look
- 18 they want.
- 19 • S Bankhead said if you meet as a Council, you can meet on 400 South and residents on 400 South should
- 20 definitely be invited to the meeting, but it is an open meeting and the public will have to be invited.
- 21 • Mayor said a date will be set, residents of 400 South will be invited, as well as the general public.
- 22 • J Baldwin felt it would be appropriate to send letters to the residents that live on 400 South so they can
- 23 come and comment if they want to.
- 24 • J Drew felt a meeting in the neighborhood would more likely assure the neighborhood residents will show
- 25 up to the meeting.
- 26 • D Giles asked if anyone that lives on 400 South have commented on the proposed profile.
- 27 • Mayor said some residents have commented.
- 28 • R Eames asked if storm water will be addressed at the meeting for the residents.
- 29 • Mayor said storm water will be addressed.
- 30 • R Sneddon felt the more citizens are involved with decisions, the better they will feel about decisions
- 31 made by the Council.
- 32 • It was decided the 400 South residents would be invited, by letter, to attend the March 8 city council
- 33 meeting.

34 **Item No. 4. Discussion:** The Providence City Council will discuss increasing the charge for E911 from \$2.00 to \$3.00.

- 35 • S Bankhead said the emergency notification system upgraded their equipment two years ago and
- 36 increased their cost. At that time the City Council chose not to support the resolution that was presented
- 37 and also chose to absorb the cost of the increase in the 911 fee. Logan has started billing the City; it is
- 38 attached to the garbage can fee. The Council can either now pass a resolution to add \$1 to the utility bill
- 39 or the City can continue to absorb the cost.
- 40 • K Allen asked how much the City is absorbing in that cost.
- 41 • S Bankhead said about \$2,000/month or \$24,000/year and the City has been absorbing that cost for
- 42 almost two years.
- 43 • J Drew said the City has also been absorbing the increased sewer rates.
- 44 • S Bankhead said the reason for that is because the bond was paid off and what we were collecting for the
- 45 bond and O&M was used to cover the increase.
- 46 • J Baldwin asked if the City goes into negative numbers in the sewer fees that are being charged.
- 47 • S Bankhead said we are not, there is just not as much being set aside for capital improvements. However,
- 48 the next increase will have to be passed on no matter what. About \$10-\$15/month. If we stay with Logan
- 49 sewer rates will increase, if we do a tri-city agreement rates will increase.
- 50 • J Drew said the rates with Logan will go up even before the new facility is built.
- 51 • K Allen said as services are provided and as upgrades are made on roads, residents will see their utility
- 52 bills go up.

- R Sneddon asked if a benefit statement was ever issued to residents showing what the City is paying for.
- S Bankhead said that has not been done, but it could be done if the Council wants that. At one time, Mayor Liechty did a State of the City address; that could also be done again.
- K Allen said the next newsletter needs to let the residents know that this will be covered in the next meeting.
- J Baldwin thought it would also be a good idea to have the information available to the citizens of what the City is covering for them.
- Mayor said the dollar increase will be in the newsletter.

Item No. 5. Discussion: The Providence City Council will discuss amending the Personnel Policy for Providence City by amending interviewing and selection by adding: a. If the open position is for the city administrator or public works director, the Mayor and one council member shall be part of the interview and selection process.

- Mayor commented that he has invited R Sneddon to sit in on some interviews that have recently been done for a public works employee.
- K Allen said he does not feel the Council should be micro-managing what goes on in the City public works, but key positions should include a Council member.
- R Sneddon said the Council represents the liaison between the day to day activities of the City and the citizen. Council members should be aware of what is going on in the City in an effort to be able to answer questions that may arise from citizens.
- K Allen said if a Council member is sitting in on interviews and City business, it needs to be a transparent presence and let City staff do their job.
- There was further discussion about what role a council member should play in the interview process and business dealings within the City.
- Mayor pointed out that this is only for the two positions listed.
- J Drew said many people who are interviewed for key positions in a company are often interviewed individually by more than one person/group. Then those groups confer and make a selection. It is a good practice to get a good view point of someone's candidacy.
- K Allen feels you can get hung up in that type of process.
- R Sneddon said in the interviews for the public works position, the questions were all the same and then each interviewer was given an opportunity to ask questions. He did not ask the same question of all interviewees. He felt this was a good vetting process.

Staff Reports: Items presented by Providence City Staff will be presented as information only.

S Bankhead:

- Finance statement for January is included in the package. She explained restricted cash and restricted cash offset. The auditors are expecting an annual adjustment, not a monthly adjustment.

R Stapley:

- Two projects going out to bid tomorrow - Fuhrman Drive and 300 East. Potable divers coming in April to clean reservoir tanks. They do thorough camera inspections and clean the floors. Coombe reservoir and the large tank at Eck reservoir will be cleaned. We do visual manhole inspections on the 813 manholes in town every year. These inspections are the ones that keep the City out of trouble throughout the year.

Council Reports: Items presented by the City Council members will be presented as informational only; no formal action will be taken. The City Council may act on an item, if it arose subsequent to the posting of this agenda and the City Council determines that an emergency exists.

- J Baldwin – no report.
- K Allen – no report.
- R Sneddon – no report.
- J Drew said he got a call from the Herald Journal doing a series on Justice Courts. His comment was that the issue is on hold until the state legislature finishes their session; then the issue will be revisited.
- D Giles – cemetery concerns that will be on next meeting's agenda.
- Mayor commented on a property for a park and regional retention pond. A few months ago the owner was not interested in selling; however, Rowan Cecil knows the owners. Does the Council want him to approach the owners again. The members of the Council felt it could do no harm to ask again if they are interested in selling.

Item No. 1. Review and Discussion of Personnel Issues Involving the Professional Competence or Character of Individuals.

Executive Session Notice:

The Providence City Council may enter into a closed session to discuss professional competence or other factors allowed by Utah Code 52-4-205(1)(a), including but not limited to the findings of the Administrative Review Committee authorized by resolution of the City Council December 30, 2015. There will be no public discussion of this item.

Executive Session Notice:

The Providence City Council may enter into a closed session to discuss pending or reasonably imminent litigation as allowed by Utah Code 52-4-205(1)(c).

The Providence City Council may enter into a closed session to discuss land acquisition or the sale of real property Utah Code 52-4-205(1) (d) and (e).

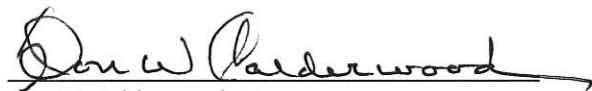
Motion to enter executive session: K Allen, second – J Baldwin

Vote: **Yea:** K Allen, J Baldwin, J Drew, D Giles, R Sneddon
 Nay: None
 Abstained: None
 Excused: None

Meeting adjourned at 7:45 pm.

Minutes recorded and prepared by C Craven.




Don W. Calderwood, Mayor


Skarlet Bankhead, City Recorder

City Council Meeting

February 23, 2016

Please Sign In

Name

City of Residence

Darcy Rees
Dawn Coel
Sharell Eames
Kishna E/c
Richard Eames
Troop 357
Kevin M. Opsahl
Peggy Giles
Breant Speth
Jayna Turner

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